

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Nobuo HANAI, et al.

SERIAL NO: New Application

GAU:

FILED: Herewith

EXAMINER:

FOR: MONOCLONAL ANTIBODY FOR HUMAN TELOMERASE CATALYTIC SUBUNIT

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicant(s) wish to disclose the following information.

REFERENCES

- ☒ The applicant(s) wish to make of record the references listed on the attached International Search Report and form PTO-1449. Copies of the listed references were cited and made of record in the U.S. Serial No. 09/424,226, allowed, filed November 26, 1999, which is the National Stage of International PCT No. PCT/JP99/01557, filed March 26, 1999.

- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

- ☐ Attached is a list of applicant's pending application(s) or issued patent(s) which may be related to the present application. A copy of the patent(s), together with a copy of the claims and drawings of the pending application(s) is attached along with PTO 1449.

- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

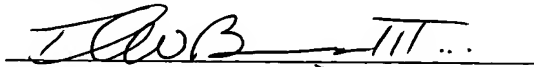
- ☐ Each item of information contained in this information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

- ☒ Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Norman F. Oblon

Registration No. 24,618



22850

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22850

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Respectfully submitted,

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Thomas W. Barnes III, Ph.D.

Registration No. 52,595

Form PTO 1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 240332US0DIV		SERIAL NO. New Application	
LIST OF REFERENCES CITED BY APPLICANT				APPLICANT Nobuo HANAI, et al.			
				FILING DATE Herewith		GROUP	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA	5,958,680	9/28/99	Bryant VILLEPONTEAU, et al.			
	AB	6,166,178	12/00	CECH, et al.			
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES NO		
	AQ	2 317 891	4/8/98	Great Britain			
	AP	WO 98/37181	8/27/98	WIPO			
	AQ	48036/97	5/13/98	Australia (Abstract only)			
	AR	48073/97	5/13/98	Australia (Abstract only)			
	AS						
	AT						
	AU						
	AV						
OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)							
	AW	T.M. NAKAMURA, et al., "Telomerase Catalytic Subunit Homologs from Fission Yeast and Human," Science, Vol. 277, No. 5328, pages 955-959, August 15, 1997.					
	AX	M. MEYERSON, et al., Cell. Vol. 90, No. 4, pages 785-795, "hEST2, the Putative Human Telomerase Catalytic Subunit Gene, is Up-Regulated in Tumor Cells and During Immortalization," August 22, 1997.					
	AY	S. RAMAKRISHNAN, et al., "Characterization of Human Telomerase Complex," Proc. Natl. Acad. Sci., U.S.A., Vol. 94, pages 10075-10079, September 1997.					
	AZ					<input type="checkbox"/> Additional References sheet(s) attached	
Examiner							
*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

INTERNATIONAL SEARCH REPORT

International application No.

PCT/JP99/01557

A. CLASSIFICATION OF SUBJECT MATTER

Int.Cl⁶ C12N15/06, C12N15/13, C07K16/40, C12N5/18, A61K39/395,
G01N33/543, G01N33/53, G01N33/569, G01N33/50 // C12P21/08,
According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

Int.Cl⁶ C12N15/06, C12N15/13, C07K16/40, C12N5/18, A61K39/395,
G01N33/543, G01N33/53, G01N33/569, G01N33/50, C12P21/08

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)
SwissProt/PIR/GeneSeq, WPI (DIALOG), BIOSIS (DIALOG)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	Toru M. Nakamura et al., "Telomerase catalytic subunit homologs from fission yeast and human" Science (1997), Vol. 277, No. 5328, p.955-959	1-34, 36-37
X	Matthew Meyerson et al., "hEST2, the putative human telomerase catalytic subunit gene, is up-regulated in tumor cells and during immortalization" Cell (1997), Vol. 90, No. 4, p.785-795	1-34, 36-37
PX	GB, 2317891, A (GERON CORP, UNIV TECHNOLOGY CORP), 8 April, 1998 (08. 04. 98) & WO, 98/14592, A2 & WO, 98/14593, A2 & EP, 841396, A1 & JP, 10-234384, A2	1-34, 36-37
PX	WO, 98/37181, A2 (Whitehead Inst Biomedical Res), 27 August, 1998 (27. 08. 98) (Family: none)	1-34, 36-37

☐ Further documents are listed in the continuation of Box C. ☐ See patent family annex.

* Special categories of cited documents:	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"A" document defining the general state of the art which is not considered to be of particular relevance	"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"E" earlier document but published on or after the international filing date	"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"&" document member of the same patent family
"O" document referring to an oral disclosure, use, exhibition or other means	
"P" document published prior to the international filing date but later than the priority date claimed	

Date of the actual completion of the international search
25 June, 1999 (25. 06. 99)

Date of mailing of the international search report
6 July, 1999 (06. 07. 99)

Name and mailing address of the ISA/
Japanese Patent Office

Authorized officer

Facsimile No.

Telephone No.

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IN RE APPLICATION OF: Nobuo HANAI, et al.

GAU:

SERIAL NO: New Application

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FOR: MONOCLONAL ANTIBODY FOR HUMAN TELOMERASE CATALYTIC SUBUNIT

REQUEST FOR PRIORITY

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

☒ Full benefit of the filing date of U.S. Application Serial Number 09/424,226, filed November 26, 1999, which is the National Stage of International PCT No. PCT/JP99/01557, filed March 26, 1999, is claimed pursuant to the provisions of 35 U.S.C. §120.

☐ Full benefit of the filing date(s) of U.S. Provisional Application(s) is claimed pursuant to the provisions of 35 U.S.C. §119(e):
Application No. Date Filed

☒ Applicants claim any right to priority from any earlier filed applications to which they may be entitled pursuant to the provisions of 35 U.S.C. §119, as noted below.

In the matter of the above-identified application for patent, notice is hereby given that the applicants claim as priority:

COUNTRY

Japan

APPLICATION NUMBER

10-098486

MONTH/DAY/YEAR

March 26, 1998

Certified copies of the corresponding Convention Application(s)

☐ are submitted herewith

☐ will be submitted prior to payment of the Final Fee

☐ were filed in prior application Serial No. filed

☒ were submitted to the International Bureau in PCT Application Number PCT/JP99/01557, filed 3/26/99. Receipt of the certified copies by the International Bureau in a timely manner under PCT Rule 17.1(a) has been acknowledged as evidenced by the attached PCT/IB/304.

☐ (A) Application Serial No.(s) were filed in prior application Serial No. filed ; and


☐ (B) Application Serial No.(s)

☐ are submitted herewith

☐ will be submitted prior to payment of the Final Fee

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.


Norman F. Oblon

Registration No. 24,618



22850

PATENT COOPERATION TREATY

PCT

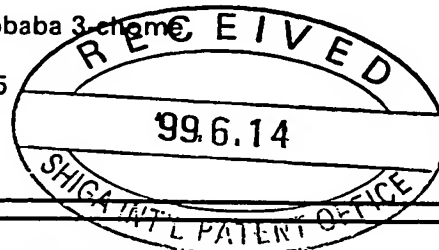
NOTIFICATION CONCERNING SUBMISSION OR TRANSMITTAL OF PRIORITY DOCUMENT

(PCT Administrative Instructions, Section 411)

From the INTERNATIONAL BUREAU

To:

SHIGA, Masatake
OR Building
23-3, Takadanobaba 3-chome
Shinjuku-ku
Tokyo 169-8925
JAPON



IMPORTANT NOTIFICATION

Date of mailing (day/month/year) 04 June 1999 (04.06.99)	
Applicant's or agent's file reference PC-8248	
International application No. PCT/JP99/01557	International filing date (day/month/year) 26 March 1999 (26.03.99)
International publication date (day/month/year) Not yet published	Priority date (day/month/year) 26 March 1998 (26.03.98)
Applicant KYOWA HAKKO KOGYO CO., LTD. et al	

- The applicant is hereby notified of the date of receipt (except where the letters "NR" appear in the right-hand column) by the International Bureau of the priority document(s) relating to the earlier application(s) indicated below. Unless otherwise indicated by an asterisk appearing next to a date of receipt, or by the letters "NR", in the right-hand column, the priority document concerned was submitted or transmitted to the International Bureau in compliance with Rule 17.1(a) or (b).
- This updates and replaces any previously issued notification concerning submission or transmittal of priority documents.
- An asterisk(*) appearing next to a date of receipt, in the right-hand column, denotes a priority document submitted or transmitted to the International Bureau but not in compliance with Rule 17.1(a) or (b). In such a case, the attention of the applicant is directed to Rule 17.1(c) which provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.
- The letters "NR" appearing in the right-hand column denote a priority document which was not received by the International Bureau or which the applicant did not request the receiving Office to prepare and transmit to the International Bureau, as provided by Rule 17.1(a) or (b), respectively. In such a case, the attention of the applicant is directed to Rule 17.1(c) which provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.

<u>Priority date</u>	<u>Priority application No.</u>	<u>Country or regional Office or PCT receiving Office</u>	<u>Date of receipt of priority document</u>
26 Marc 1998 (26.03.98)	10/98486	JP	21 May 1999 (21.05.99)

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Authorized officer

Carlos Naranjo

Facsimile No. (41-22) 740.14.35

Telephone No. (41-22) 338.83.38